



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : **CAM/22UF/LSC/2019/0004**

Property : **Hayes Close**

Applicant : **Hayes Close Property Limited (“the Landlords”)**

Representative :

Respondents : **Residents of Hayes Close (“the tenants”)**

Type of Application : **Determination of liability to pay and reasonableness of service charges Landlord and Tenant Act 1985,s27A.**

Tribunal Members : **Judge Shepherd
Mr S Moll FRICS**

Date of Decision : **June 2019**

PERMISSION TO APPEAL DECISION

1. Permission to appeal is refused.

Reasons

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1. Permission to appeal will only be granted where:

- (a) The Tribunal has wrongly interpreted or applied the law;
- (b) The Tribunal has wrongly applied or misinterpreted or disregarded a principle of valuation or professional practice;
- (c) The Tribunal has taken account of irrelevant considerations or failed to take account of relevant considerations or evidence or there was a substantial procedural defect;
- (d) The point or points at issue is/are of potentially wide implication

2. The Appellants did not attend the hearing despite being invited to do so. In any event their appeal grounds are misconceived. The Tribunal does not accept that the staircases in question "do not form an integral part of the fabric of the buildings" for the reasons given by the Appellants. Further the fact that the staircase may not be in use in certain cases does not preclude recovery of costs under the lease. The remainder of the submissions in the appeal letter do nothing to divert the Tribunal from its original decision.

Jim Shepherd